

Message

From: Tejada, Matthew [Tejada.Matthew@epa.gov]
Sent: 11/8/2018 5:35:06 PM
To: Harrison, Ben [Harrison.Ben@epa.gov]; Blanco, Arturo [Blanco.Arturo@epa.gov]
CC: Dorka, Lilian [Dorka.Lilian@epa.gov]; Rhines, Dale [rhines.dale@epa.gov]; Temple, Kurt [Temple.Kurt@epa.gov]; McGhee, Debra [mcghee.debra@epa.gov]; Rhodes, Julia [Rhodes.Julia@epa.gov]; Buzzelle, Stanley [Buzzelle.Stanley@epa.gov]
Subject: RE: First Amended Complaint - Rollerson v. Port Freeport and USACE
Attachments: 11-1-2017 Title VI Complaint (Freeport).pdf

Here is the first TVI complaint. We apparently do not have the original Rollerson V Freeport USACE complaint. Including Stan Buzzelle from my shop on this as he has been tracking this for us.

Matthew Tejada
Director - Office of Environmental Justice
Environmental Protection Agency
202-564-8047

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From: Harrison, Ben
Sent: Wednesday, November 07, 2018 11:18 PM
To: Blanco, Arturo <Blanco.Arturo@epa.gov>
Cc: Tejada, Matthew <Tejada.Matthew@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>; Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>
Subject: Re: First Amended Complaint - Rollerson v. Port Freeport and USACE

Would you share the First Amended Complaint? As Lilian stated, we don't have a Title VI complaint regarding Freeport.

Sent from my iPhone

On Nov 7, 2018, at 10:15 PM, Blanco, Arturo <Blanco.Arturo@epa.gov> wrote:

I am looping R6 ORC's Ben Harrison...

From: Tejada, Matthew
Sent: Wednesday, November 7, 2018 4:14 PM
To: Dorka, Lilian <Dorka.Lilian@epa.gov>; Blanco, Arturo <Blanco.Arturo@epa.gov>
Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>
Subject: RE: First Amended Complaint - Rollerson v. Port Freeport and USACE

Yep, it's a pretty interesting tying together of multiple things here, especially given R6's history with TVI complaints and also the relocation act issue.

Matthew Tejada
Director - Office of Environmental Justice
Environmental Protection Agency
202-564-8047

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From: Dorka, Lilian

Sent: Wednesday, November 07, 2018 5:10 PM

To: Tejada, Matthew <Tejada.Matthew@epa.gov>; Blanco, Arturo <Blanco.Arturo@epa.gov>

Cc: Rhines, Dale <rhines.dale@epa.gov>; Temple, Kurt <Temple.Kurt@epa.gov>; McGhee, Debra <mcghee.debra@epa.gov>; Rhodes, Julia <Rhodes.Julia@epa.gov>

Subject: RE: First Amended Complaint - Rollerson v. Port Freeport and USACE

Thanks for the heads up Matt! So these folks are suing Port Freeport and the US Army Corp of Engineers (DOD). I see Kevonne at DOJ says in her note below to Stanley "As you will see, they reference the Freeport Title VI Administrative Complaint in this filing." Just wanted to clarify that they did not file a complaint with ECRCO-EPA. Their Title VI administrative complaint was filed with "five federal agencies, including the DOD, the U.S. Department of Justice, the U.S. Department of Housing and Urban Development, the U.S. Department of Transportation, and the U.S. Department of Homeland Security (the "Federal Agencies")."

I need to read this more thoroughly but it looks like the plaintiffs are now suing, in part, DOD/Army Corp of Engineers under the APA for "undue/unlawful delay" in processing their 2017 administrative complaint. They also appear to be suing Port Freeport under Title VI for intentional discrimination (using Arlington Heights case analysis), and some additional claims.

Will be interesting to see how this develops. Thanks again, Lilian

Lilian Sotolongo Dorka, Director
External Civil Rights Compliance Office
Office of General Counsel
U.S. Environmental Protection Agency
202-564-9649

From: Tejada, Matthew

Sent: Wednesday, November 7, 2018 3:16 PM

To: Blanco, Arturo <Blanco.Arturo@epa.gov>; Dorka, Lilian <Dorka.Lilian@epa.gov>

Subject: FW: First Amended Complaint - Rollerson v. Port Freeport and USACE

Just keeping you all in the loop on what we are receiving on Freeport citizens' complaints.

Matthew Tejada
Director - Office of Environmental Justice
Environmental Protection Agency
202-564-8047

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From: Buzzelle, Stanley

Sent: Tuesday, November 06, 2018 2:55 PM

To: Tejada, Matthew <Tejada.Matthew@epa.gov>

Subject: FW: First Amended Complaint - Rollerson v. Port Freeport and USACE

FYI – I'll take a look at this tomorrow morning.

From: Small, Kevonne (CRT) <Kevonne.Small@usdoj.gov>
Sent: Tuesday, November 06, 2018 2:05 PM
To: Buzzelle, Stanley <Buzzelle.Stanley@epa.gov>
Cc: daria.neal@usdoj.gov; de Kervor, Dylan (CRT) <Dylan.Dekervor@usdoj.gov>
Subject: First Amended Complaint - Rollerson v. Port Freeport and USACE

Good afternoon, Stanley – we are sharing the first amended complaint in *Rollerson v. Port Freeport and USACE* in case you have not seen this. As you will see, they reference the Freeport Title VI Administrative Complaint in this filing.

Best,
Kevonne

Kevonne Small, J.D., Ph.D.
Attorney Advisor

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